

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

IN RE SCHERING-PLOUGH CORPORATION/ENHANCE SECURITIES LITIGATION	08-CV-397 (DMC) (JAD)
IN RE MERCK & CO., INC., VYTORIN/ZETIA SECURITIES LITIGATION	08-CV-2177 (DMC) (JAD)
IN RE SCHERING-PLOUGH CORP. ENHANCE ERISA LITIGATION	08-CV-1432 (DMC) (JAD)
IN RE MERCK & CO., INC. VYTORIN ERISA LITIGATION	08-CV-1974 (DMC) (JAD)
CAIN V. HASSAN, <i>et al.</i>	08-CV-1022 (DMC) (JAD)
LOCAL NO. 38 INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS PENSION FUND v. CLARK, <i>et al.</i>	09-CV-5668 (DMC) (JAD)

**FIFTH STIPULATED AMENDMENT
TO PRETRIAL SCHEDULING ORDER**

WHEREAS, on December 22, 2009, the Court entered a Pretrial Scheduling Order setting dates for discovery, motion practice, and delivery of expert reports in the above-captioned actions; and

WHEREAS, on November 2, 2010, the Court entered a Stipulated Amendment to Pretrial Scheduling Order; and

WHEREAS, on January 4, 2011, the Court entered the Third Stipulated Amendment to Pretrial Scheduling Order; and

WHEREAS, on February 1, 2011, the Court entered the Fourth Stipulated Amendment to Pretrial Scheduling Order; and

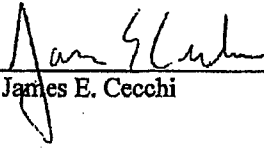
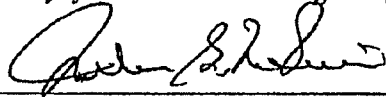
WHEREAS, the parties have mutually agreed to extend the time periods provided in paragraphs 1 and 2 of the Fourth Stipulated Amendment to Pretrial Scheduling Order;

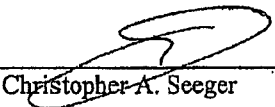
NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED, by and among counsel for the undersigned parties, that:


1. The parties may have until June 3, 2011 to file any motion to amend the pleadings.
2. The parties may have until June 3, 2011 to serve upon the other side the maximum of twelve additional interrogatories previously allowed in paragraph 1 of the Stipulated Amendment to Pretrial Scheduling Order.¹ Nothing herein shall be construed to prohibit a party from requesting consent or leave of court to serve additional interrogatories in excess of that amount within the period for fact discovery.
3. The parties may have until July 17, 2011 to respond to any interrogatories served under paragraph 2 of this Fifth Stipulated Amendment to the Pretrial Scheduling Order.
4. All other dates and provisions of the Pretrial Scheduling Order shall remain in effect.
5. This Order may be amended by further stipulation of the parties and Order of the Court.

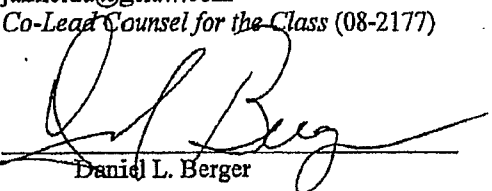
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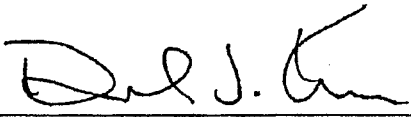
¹ As per December 22, 2009 Pretrial Scheduling Order and the Third Stipulated Amendment thereto filed January 3, 2011, plaintiffs in the above-captioned action 08-CV-1432 may serve fifteen additional interrogatories.

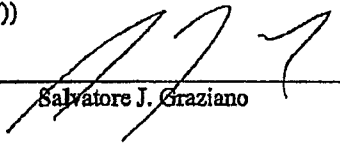
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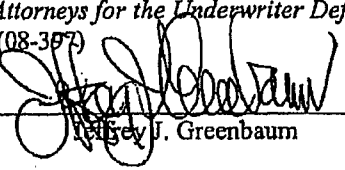
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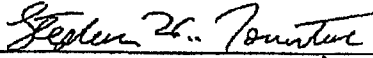
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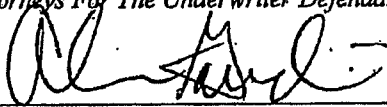
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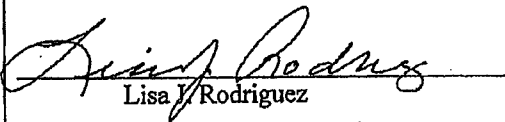
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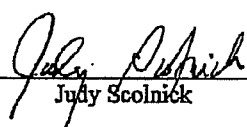
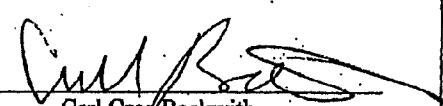
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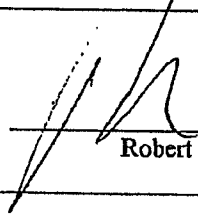
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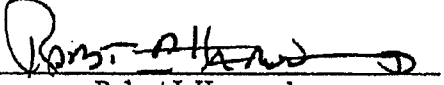
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_____ Peter H. LeVan, Jr.	

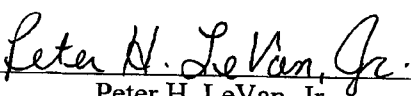
SO ORDERED,
this ____ day of _____, 2011.

Joseph A. Dickson,
United States Magistrate Judge


<p>Robert A. Izard</p>	
<p>HARWOOD FEFFER LLP 488 Madison Avenue New York, NY 10022 (212) 935-7400 rhawood@hfsq.com tkorkhov@hfsq.com <i>Counsel for Plaintiffs</i></p> <p> Robert I. Harwood</p>	
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SO ORDERED,
this 6th day of May, 2011.

Joseph A. Dickson,
United States Magistrate Judge

<hr/> <p>Robert A. Izard</p>	
<p>HARWOOD FEFFER LLP 488 Madison Avenue New York, NY 10022 (212) 935-7400 rhawood@hfsq.com tkorkhov@hfsq.com <i>Counsel for Plaintiffs</i></p> <hr/> <p>Robert I. Harwood</p>	
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SO ORDERED
this 6th day of May, 2011.


Joseph A. Dickson,
United States Magistrate Judge